

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA                    )  
  )  
                  v.                               )  
  )  
ERIC MOLIGNARO                                )

CRIMINAL NO. 04-10373-MLW

DISMISSAL OF COUNT OF INDICTMENT

The United States of America, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby dismisses Count One of the Indictment in this case. As grounds for the instant dismissal, the undersigned states that the defendant was sentenced on Count Two of the Indictment this date, and the further prosecution of Count One of the Indictment is not in the interests of justice.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By: /s/ Timothy Q. Feeley  
TIMOTHY Q. FEELEY  
Assistant U.S. Attorney  
(617) 748-3172

January 23, 2006

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon defendant's counsel, Miriam Conrad, Federal Defender Office, Boston, MA, a copy of the foregoing document by hand and electronic filing notice.

/s/ Timothy Q. Feeley  
TIMOTHY Q. FEELEY  
Assistant U.S. Attorney